

1 Jason Crews
1515 N Gilbert Rd, 107-204
2 Gilbert, AZ 85234
602-295-1875
3 Jason.crews@gmail.com

4 *In propria persona*

5
6 UNITED STATES DISTRICT COURT
7 FOR THE DISTRICT OF ARIZONA
8 PHOENIX DIVISION
9

10 Jason Crews,

11
12 Plaintiff,

13 v.

14 Donald Hiatt

15 Defendants.
16

Case No.: cv24-02129-PHX-CBD

Plaintiff's Motion to Strike Defendant's
Motion to Settle or in the Alternative
Plaintiff's Opposition to Defendant's Motion
to Settle.

17
18 ARGUMENT

19 I. The Motion Violates Settlement Conference Confidentiality

20 On November 14, 2024, this Court issued a detailed Settlement Conference Order
21 (Doc. 35) establishing procedures for settlement negotiations. The Order explicitly states
22 that "the terms of a settlement will be made only by the parties and their attorneys" and that
23 "at the conclusion of the conference, the presiding judge will only be advised whether an
24 agreement has been reached." By publicly filing detailed settlement terms, Defendant has
25 violated this Order.

26 II. The Motion is Procedurally Improper

27 The Motion improperly attempts to bypass the Court's ordered settlement
28 procedures. The Court has set a Settlement Conference for December 9, 2024, with specific

1 requirements, and the defendant's attempt to circumvent these procedures through an
2 improper motion undermines the Court's established process.

3 III. The Motion is Premature and Lacks Ripeness

4 The Motion seeks Court approval of settlement terms before the Court-ordered
5 exchange of settlement proposals has occurred. The Settlement Conference Order
6 establishes a clear timeline for these exchanges. Any motion regarding settlement terms
7 before following these procedures is premature.

8 IV. The Motion Lacks Standing

9 Defendant lacks standing to unilaterally seek Court approval of settlement terms. The
10 Court's Settlement Conference Order explicitly contemplates bilateral negotiations, stating
11 that parties will have "ample opportunity to present other records or evidence during
12 caucuses" and that "the Court will not impose its views on either party." Defendant cannot
13 bypass these requirements through a unilateral motion.

14
15 CONCLUSION

16 For the foregoing reasons, Plaintiff respectfully requests that the Court strike
17 Defendant's Motion to Settle as procedurally improper and in violation of the Court's
18 Settlement Conference Order. In the alternative, Plaintiff requests that the Court deny the
19 motion and require the parties to proceed with the ordered settlement procedures.

20
21 Dated this November 20, 2024.

22
23 /s/ Jason Crews

24 Jason Crews
25
26
27
28

1 **COPIES** of the forgoing were filed with the court
2 electronically via CM/ECF this same date.

3
4 By: /s/ Jason Crews

5 Jason Crews
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28